

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
08/09/2002

08/05/2002

CLERK OF THE COURT  
FORM R109B-22

HON. MARK F. ACETO

M. LeSueur  
Deputy

CR 2002-093737

FILED: \_\_\_\_\_

STATE OF ARIZONA

WENDY M DUGGAN

v.

RICHARD RAND KENNEDY  
DOB: 05/15/1967

TRENT R BUCKALLEW

APO-SENTENCINGS-SE  
APPEALS-SE  
DISPOSITION CLERK-SE  
VICTIM SERVICES DIV-CA-SE

SUSPENSION OF SENTENCE - PROBATION GRANTED

State's Attorney: Wendy Duggan  
Defendant's Attorney: Trent Buckallew  
Court Reporter: Dana Smith

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2: TRAFFICKING IN STOLEN PROPERTY  
Class 3 FELONY  
A.R.S. § 13-2307, 13-2301, 13-701, 13-702, 13-702.01, and  
13-801  
Date of Offense: October 22, 2001  
Non Dangerous - Non Repetitive

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AS PUNISHMENT, IT IS ORDERED suspending imposition of sentence and placing Defendant on probation as stated in the Judgment and Order Suspending Sentence and Imposing Conditions of Probation:

Count 2

Probation Term: 4 years beginning 08/05/2002.

IT IS ORDERED that probation in this cause shall run concurrent with probation in CR2002-092467.

Conditions of probation include the following:

Condition 16 - Not drink any alcoholic beverage.

Condition 17 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 18 - Count (2), Complete 200 hours of approved community work service at a minimum rate of 20 hours per month beginning at sentencing or as otherwise directed in writing by the Adult Probation Department.

Condition 23 - Restitution, Fines, and Fees:

RESTITUTION: \$3,475.00 payable \$100.00 per month, beginning 01/01/2003. Payable to the following victims:

Lawrence D'Agostino	\$825.00
Jerry Yobbie	\$250.00
David Craig	\$800.00
Bill Gomm	\$900.00
Keith Busch	\$200.00
Lawren Raber	\$500.00

No restitution ledger provided.

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PROBATION SERVICE FEE: \$50.00 per month, beginning  
01/01/2003.

REIMBURSEMENT: \$100.00 Payable \$5.00 per month, beginning  
01/01/2003.

ASSESSMENT in the amount of \$20.00 as follows:

Time payment fee pursuant to A.R.S. § 12-116 in the amount  
of \$20.00.

All amounts payable through the Clerk of the Superior Court.

IT IS ORDERED granting the Motion To Dismiss Count 1. The Maricopa County Attorney's Office agrees not to file theft, trafficking in stolen property or fraud schemes charges against the defendant arising out of Tempe PD DR#s 01-185383, 01-193164, 01-193136, 01-189391, 01-189224, 01-191538, 01-192470, 01-193117, 01-185383, 01-164752 as to the following victims: Charles Andrews, Jerry Yobbie, David Fisher, David Magoteaux, Bill Gomm, Keith Edwin Busch, John Wilson, Angus Hobdell, and Ronald Harnish; as long as the defendant pays full restitution relating to these DRs and victims. The Maricopa County Attorney's Office cannot make such an agreement as to any other independent jurisdiction.

IT IS ORDERED allowing Defendant to be considered for work furlough program.

The presentence investigation report is filed under CR2002-092467.

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Defendant's thumbprint is permanently affixed to this  
sentencing order in open court.

/s/ HON. MARK F. ACETO  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)